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09/726,111	11/29/2000	Erin M. Bourke-Dunphy	MS160276.1	1795

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EXAMINER

NAHAR, QAMRUN

ART UNIT	PAPER NUMBER
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2191

DATE MAILED: 05/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/726,111	Applicant(s) BOURKE-DUNPHY ET AL.	
	Examiner Qamrun Nahar	Art Unit 2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the appeal brief filed on 04/07/2006.
2. The rejection under 35 U.S.C. 102(b) as being anticipated by Jones (U.S. 5,666,501) to claims 1-40, 42 and 45-48 is moot in view of new ground(s) of rejection.
3. The rejection under 35 U.S.C. 103(a) as being unpatentable over Jones (U.S. 5,666,501) in view of Kenner (U.S. 6,314,565) to claims 41, 43 and 44 is moot in view of new ground(s) of rejection.
4. Claims 1-48 are pending.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-40, 42 and 45-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones (U.S. 5,666,501) in view of Curtis (U.S. 6,374,401).

Per Claim 1:

Jones teaches a software tool for installing a software component on a server computer system ("A computer-implemented method, apparatus, and memory embodying computer-readable code install software located on a second machine to a first machine in a distributed computing network." in column 1, lines 62-65), comprising: a user interface component that

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renders a plurality of setup prompts to a user and obtains a user command (“The method includes the step of displaying installable software residing in one or more source objects of the second machine that is installable on the first machine. In response to a selection by user controls of at least one of the displayed source objects, the method also includes the step of displaying software bundle objects having software items, where at least one of the software items is in common (i.e., identical) with one of the software items in the selected source object.” in column 1, lines 66-67 to column 2, lines 1-7); and an attribute that is associated with a low functionality suite package and a higher functionality suite package, selectively provides at least one setup prompt to the user interface component according to the attribute, and selectively installs the software component on the computer system according to the user command (“If one of the software bundle objects is selected, the method further includes the step of installing on the first machine an intersection ... of the software items of the source object and the software items of the selected bundle object ... Panel 220 illustrates various bundles of software embodiment within the chosen source media. Typically, each bundle contains a list of software items embodied as a subset of the selected source object. This can be thought of as a high-level grouping of the source media. However, the bundle can also contain installation software items that are located on separate source objects. *Therefore, a given bundle can be either a subset or a superset of a particular source object, depending on whether all the software items listed in the bundle are available on the particular source object.* ... Display controls 245 allow user control and manipulation of the contents of panel 240. The user can apply the controls to a single item in panel 240, the highlighted (selected) items in panel 240, or all items in panel 240. ... Display control 247 expands the items in panel 240 to show any fixes available (a fix is a corrective

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update to the software after its initial release). ... Display control 250 allows the user to sort the contents of panel 240 by type, date, name, or any other attribute. Display control 251 allows the user to search the contents of panel 240 based on type, date, name, or any other attribute.” in column 2, lines 7-12; *column 3, lines 28-37*; and column 3, lines 59-67 to column 4, lines 1-15).

Jones does not explicitly teach a setup component that senses an attribute of a registry of the server computer system, which attribute is associated with a component/functionality. Curtis teaches a setup component that senses an attribute of a registry of the server computer system, which attribute is associated with a component/functionality (e.g. see abstract; column 10, lines 7-54; and column 11, lines 29-33; The registry maintains information on installed components.).

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the software tool disclosed by Jones to include a setup component that senses an attribute of a registry of the server computer system, which attribute is associated with a component/functionality using the teaching of Curtis. The modification would be obvious because one of ordinary skill in the art would be motivated to have an efficient method of updating a registry during installation and/or uninstallation (Curtis, column 3, line 66 to column 4, line 4).

Per Claim 2:

The rejection of claim 1 is incorporated, and Jones further teaches the setup component selectively suppresses at least one setup prompt from the user interface component if the attribute indicates the at least one setup prompt is unnecessary (column 3, lines 59-67 to column 4, lines 1-15; and column 4, lines 51-63).

Per Claim 3:

The rejection of claim 2 is incorporated, and Jones further teaches the at least one setup prompt comprises a selection between at least two setup parameters, and the setup component selects one of the at least two setup parameters according to the attribute (column 4, lines 51-63).

Per Claim 4:

The rejection of claim 3 is incorporated, and Jones further teaches the setup component selectively installs the software component on the computer system using the selected one of the at least two setup parameters (column 5, lines 29-34).

Per Claim 5:

The rejection of claim 4 is incorporated, and Jones further teaches the attribute comprises data stored in the computer system (column 4, lines 40-63).

Per Claim 6:

The rejection of claim 5 is incorporated, and Curtis further teaches the data comprises a registry key (e.g. see abstract; column 10, lines 7-54; and column 11, lines 29-33; The registry maintains information on installed components.).

Per Claim 7:

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The rejection of claim 6 is incorporated, and Jones further teaches the software component comprises one of an operating system and an application (column 3, lines 59-67 to column 4, lines 1-15).

Per Claim 8:

The rejection of claim 7 is incorporated, and Jones further teaches the software component comprises a plurality of program components, and the setup component selectively installs at least one of the plurality of program components according to tile attribute (column 3, lines 59-67 to column 4, lines 1-15; and column 4, lines 40-54).

Per Claim 9:

The rejection of claim 1 is incorporated, and Jones further teaches the at least one setup prompt comprises a selection between at least two setup parameters, and the setup component selects one of the at least two setup parameters according to the attribute (column 4, lines 51-63).

Per Claim 10:

The rejection of claim 9 is incorporated, and Jones further teaches the setup component selectively installs the software component on the computer system using the selected one of the at least two setup parameters (column 5, lines 29-34).

Per Claim 11:

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The rejection of claim 10 is incorporated, and Curtis further teaches the attribute comprises a registry key (e.g. see abstract; column 10, lines 7-54; and column 11, lines 29-33; The registry maintains information on installed components.).

Per Claim 12:

The rejection of claim 11 is incorporated, and Jones further teaches the software component comprises one of an operating system and an application (column 3, lines 59-67 to column 4, lines 1-15).

Per Claim 13:

The rejection of claim 12 is incorporated, and Jones further teaches the software component comprises a plurality of program components, and the setup component selectively installs at least one of the plurality of program components according to the attribute (column 3, lines 59-67 to column 4, lines 1-15; and column 4, lines 40-54).

Per Claim 14:

This is a software setup tool version of the claimed software tool discussed above, claim 1, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above, including “selectively provides one of standard prompting and special prompting to a user according to the attribute” (“If one of the software bundle objects is selected, the method further includes the step of installing on the first machine an intersection ... of the software items of the source object and the software items of the selected bundle object ... Panel 220 illustrates

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various bundles of software embodiment within the chosen source media. Typically, each bundle contains a list of software items embodied as a subset of the selected source object. This can be thought of as a high-level grouping of the source media. However, the bundle can also contain installation software items that are located on separate source objects. *Therefore, a given bundle can be either a subset or a superset of a particular source object, depending on whether all the software items listed in the bundle are available on the particular source object. ...*

Display controls 245 allow user control and manipulation of the contents of panel 240. The user can apply the controls to a single item in panel 240, the highlighted (selected) items in panel 240, or all items in panel 240. ... Display control 247 expands the items in panel 240 to show any fixes available (a fix is a corrective update to the software after its initial release). ... Display control 250 allows the user to sort the contents of panel 240 by type, date, name, or any other attribute. Display control 251 allows the user to search the contents of panel 240 based on type, date, name, or any other attribute.” in column 2, lines 7-12; *column 3, lines 28-37*; and column 3, lines 59-67 to column 4, lines 1-15); “and a user interface component that renders a plurality of setup prompts to a user and obtains at least one setup parameter” (“The method includes the step of displaying installable software residing in one or more source objects of the second machine that is installable on the first machine. In response to a selection by user controls of at least one of the displayed source objects, the method also includes the step of displaying software bundle objects having software items, where at least one of the software items is in common (i.e., identical) with one of the software items in the selected source object.” in column 1, lines 66-67 to column 2, lines 1-7). Thus, accordingly, this claim is also obvious.

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Per Claim 15:

The rejection of claim 14 is incorporated, and Jones further teaches the setup component further selectively performs at least one setup operation according to the at least one setup parameter and the attribute (column 4, lines 51-63).

Per Claim 16:

The rejection of claim 15 is incorporated, and Curtis further teaches the attribute comprises a registry key (e.g. see abstract; column 10, lines 7-54; and column 11, lines 29-33; The registry maintains information on installed components.).

Per Claim 17:

The rejection of claim 16 is incorporated, and Jones further teaches the setup component further selectively suppresses at least one setup prompt from the user interface component if the attribute indicates the at least one setup prompt is unnecessary (column 3, lines 59-67 to column 4, lines 1-15; and column 4, lines 51-63).

Per Claim 18:

The rejection of claim 17 is incorporated, and Jones further teaches the at least one setup prompt comprises a selection between at least two setup parameters, and the setup component selects one of the at least two setup parameters according to the attribute (column 4, lines 51-63).

Per Claim 19:

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The rejection of claim 18 is incorporated, and Jones further teaches the setup component selectively installs a software component on the computer system using the selected one of the at least two setup parameters (column 5, lines 29-34).

Per Claim 20:

The rejection of claim 16 is incorporated, and Jones further teaches the setup component one of renders at least one additional setup prompt to the user according to the attribute, and renders at least one substitute setup prompt to the user according to the attribute (column 3, lines 59-67 to column 4, lines 1-15; and column 4, lines 51-63).

Per Claims 21 & 22:

These are method versions of the claimed software setup tool discussed above, claim 14, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious.

Per Claims 23 & 24:

These are method versions of the claimed software setup tool discussed above (claims 15 and 16, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious.

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Per Claim 25:

This is a method version of the claimed software setup tool discussed above, (claims 17 and 20), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, this claim is also obvious.

Per Claims 26-27:

These are method versions of the claimed software setup tool discussed above, (claims 18 and 19, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious.

Per Claims 28-29, 30, 31, 32 (Amended), 33 & 34:

These are computer-readable medium versions of the claimed method discussed above, (claims 21-27, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious.

Per Claims 35-38:

These are software tool versions of the claimed method discussed above, (claims 21-22 and 24-25, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious.

Per Claim 39:

This is a data packet version of the claimed software tool discussed above, claim 1, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, this claim is also obvious.

Per Claim 40:

This is a system version of the claimed software setup tool discussed above, claim 14, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above, including “selectively provides at least one of standard prompts for loading a standard functionality installation of server components and special prompts for loading a special lower functionality installation of server components” (“If one of the software bundle objects is selected, the method further includes the step of installing on the first machine an intersection ... of the software items of the source object and the software items of the selected bundle object ... Panel 220 illustrates various bundles of software embodiment within the chosen source media. Typically, each bundle contains a list of software items embodied as a subset of the selected source object. This can be thought of as a high-level grouping of the source media. However, the bundle can also contain installation software items that are located on separate source objects. *Therefore, a given bundle can be either a subset or a superset of a particular source object, depending on whether all the software items listed in the bundle are available on the particular source object.* ... Display controls 245 allow user control and manipulation of the contents of panel 240. The user can apply the controls to a single item in panel 240, the highlighted (selected) items in panel 240, or all items in panel 240. ... Display control 247

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expands the items in panel 240 to show any fixes available (a fix is a corrective update to the software after its initial release). ... Display control 250 allows the user to sort the contents of panel 240 by type, date, name, or any other attribute. Display control 251 allows the user to search the contents of panel 240 based on type, date, name, or any other attribute.” in column 2, lines 7-12; *column 3, lines 28-37*; and column 3, lines 59-67 to column 4, lines 1-15); “and a user interface component that renders at least one of the standard prompts and the special prompts, and receives at least one setup parameter” (“The method includes the step of displaying installable software residing in one or more source objects of the second machine that is installable on the first machine. In response to a selection by user controls of at least one of the displayed source objects, the method also includes the step of displaying software bundle objects having software items, where at least one of the software items is in common (i.e., identical) with one of the software items in the selected source object.” in column 1, lines 66-67 to column 2, lines 1-7). Thus, accordingly, this claim is also obvious.

Per Claim 42:

The rejection of claim 40 is incorporated, and Jones further teaches the server operating system is installed in a per server mode when the attribute indicates the special lower functionality installation of server components (column 3, lines 28-37).

Per Claim 45:

The rejection of claim 40 is incorporated, and Jones further teaches only the special lower functionality installation requires the rendering of a workgroup/domain page (column 3, lines 59-67 to column 4, lines 1-15).

Per Claim 46:

The rejection of claim 40 is incorporated, and Jones further teaches the special lower functionality installation includes installing the server operating system in accordance with a default workgroup (column 3, lines 59-67 to column 4, lines 1-15).

Per Claim 47:

The rejection of claim 40 is incorporated, and Jones further teaches the special prompts are included in the standard prompts (column 3, lines 59-67 to column 4, lines 1-15).

Per Claim 48:

The rejection of claim 40 is incorporated, and Jones further teaches the special prompts are included in the standard prompts, such that some of the standard prompts are by-passed during the special lower functionality installation in accordance with the attribute (column 3, lines 59-67 to column 4, lines 1-15).

7. Claims 41, 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones (U.S. 5,666,501) in view of Curtis (U.S. 6,374,401), and further in view of Kenner (U.S. 6,314,565).

Per Claim 41:

The rejection of claim 40 is incorporated, and further, the combination of Jones and Curtis does not explicitly teach the standard functionality installation includes the rendering of a standard prompt that is a licensing page, which licensing page is not rendered during the special lower functionality installation. Kenner teaches the standard functionality installation includes the rendering of a standard prompt that is a licensing page, which licensing page is not rendered during the special lower functionality installation (column 7, lines 55-67 and column 11, lines 1-6).

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the system disclosed by the combination of Jones and Curtis to include the standard functionality installation includes the rendering of a standard prompt that is a licensing page, which licensing page is not rendered during the special lower functionality installation using the teaching of Kenner. The modification would be obvious because one of ordinary skill in the art would be motivated to control distribution of limited number of licenses.

Per Claim 43:

The rejection of claim 42 is incorporated, and further, the combination of Jones and Curtis does not explicitly teach that the per server mode invokes a fixed number of client user licenses. Kenner teaches that the per server mode invokes a fixed number of client user licenses (column 7, lines 55-67 and column 11, lines 1-6).

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the system disclosed by the combination of Jones and Curtis to include that the per server mode invokes a fixed number of client user licenses using the teaching of Kenner. The modification would be obvious because one of ordinary skill in the art would be motivated to control distribution of limited number of licenses.

Per Claim 44:

The rejection of claim 40 is incorporated, and further, the combination of Jones and Curtis does not explicitly teach that the standard functionality installation includes the rendering of a standard prompt that is a licensing page. Kenner teaches that the standard functionality installation includes the rendering of a standard prompt that is a licensing page (column 7, lines 55-67 and column 11, lines 1-6).

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the system disclosed by the combination of Jones and Curtis to include that the standard functionality installation includes the rendering of a standard prompt that is a licensing page using the teaching of Kenner. The modification would be obvious because one of ordinary skill in the art would be motivated to control distribution of limited number of licenses.

Response to Arguments

8. Applicant's arguments with respect to claims 1-48 have been considered but are moot in view of the new ground(s) of rejection.

In the remarks, the applicant argues that:

- a) Jones does not teach or suggest prompts as understood in the art.

Examiner's response:

- a) Examiner strongly disagrees with applicant's assertion that Jones fails to teach prompts as understood in the art. Microsoft Computer Dictionary defines prompt as displayed text indicating that a computer program is waiting for input from the user (see Microsoft Computer Dictionary, Fifth Edition). Jones teaches prompts (column 1, lines 66-67 to column 2, lines 1-7).

Conclusion

9. Any inquiry concerning this communication from the examiner should be directed to Qamrun Nahar whose telephone number is (571) 272-3730. The examiner can normally be reached on Mondays through Fridays from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Y Zhen, can be reached on (571) 272-3708. The fax phone number for the organization where this application or processing is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



QN

May 9, 2006



WEI ZHEN
SUPERVISORY PATENT EXAMINER